IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE K.C. BHANU
WRIT PETITION NO : 11505 of 2004

Between:

O.Balasubramanyam, S/o.Yettirajula Naidu,
R/O.Varalakshmi Puram Village, Rasapalyam Post,
Sathivedu Mandal, Chittoor District.

..... PETITIONER

AND

1 Andhra Pradesh State Road Transport Corp.,
rep.by its Reg.Manager, Tirupathi, Chittoor District.
2 APSRTC, rep.by its Divisional Manager,
Tirupathi,Chittoor District.
3 APSRTC, rep.by its Depot Manager, Sathayavedu,
Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue, a writ order or direction more particularly one in the nature of writ of Mandamus declare the in action on the part of the respondents in considering the case of the petitioner for re-employment as a driver in the APSRTC on humanitarian grounds or by treating his resignation as voluntary Retirement in paying the pension and other benefits amounts to erroneous, arbitrary and violative of Arts. 14, 19 and 21 of the Constitution of India and consequently direct the respondents to reappoint the petitioner as a driver in the APSRTC forthwith and to pass necessary orders.

Counsel for the Petitioner: MR.T.C.KRISHNAN

Counsel for the Respondents: MR.P.VINAYAKA SWAMY

The Court at the stage of admission made the following:

ORDER:

The present writ petition is filed to consider the case of the petitioner for re-employment as a driver in the respondent-Corporation on humanitarian grounds.

The petitioner was originally appointed as a driver in the respondent-Corporation on 15.03.1986. On 26.01.2000, while he was driving the bus, he met with an accident. Thereafter, the petitioner gave a resignation letter and the same has been accepted and was retired from service. Thereafter, the petitioner gave another application to consider his case by recalling the resignation letter and to give appointment, but the same has not been considered by the respondent-Corporation. The respondent-Corporation is not having any obligation to re-employ the petitioner as a driver as he himself gave a resignation letter and the same has been accepted. However, the petitioner seems to have given a representation to the respondent-Corporation and the same has to be considered by the respondents in accordance with law.

Therefore, the writ petition is disposed of, directing the respondents to consider the case of the petitioner and pass appropriate orders on his representation, dated 27.09.2002, as per the rules and regulations of the Corporation within a period of three weeks from the date of receipt of a copy of this order. No costs.

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(K.C.BHANU, J)

08.07.2004

dr

To

1. Regional Manager, Tirupathi, Chittoor District.
2. Divisional Manager, Tirupathi, Chittoor District.
3. Depot Manager, Sathyavedu, Chittoor District.
4. Two C.D. copies.